

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

FILED

SEP 26 2018

Clerk, U.S. District Court
District Of Montana
Helena

COTTONWOOD
ENVIRONMENTAL LAW CENTER,

Plaintiff,

vs.

RYAN ZINKE, in his official capacity
as Secretary of the Interior; STEVE
BULLOCK, in his official capacity as
Governor of the State of Montana;
MONTANA DEPARTMENT OF
LIVESTOCK; MONTANA
DEPARTMENT OF FISH,
WILDLIFE, AND PARKS; DAN
WENK, in his official capacity as Park
Superintendent, Yellowstone National
Park; LEANNE MARTEN, in her
official capacity as Regional Forester,
U.S. Forest Service; NATIONAL
PARK SERVICE; U.S. FOREST
SERVICE; USDA-ANIMAL &
PLANT HEALTH INSPECTION
SERVICE,

Defendants.

No. CV 18-12-BU-SEH

ORDER

On September 26, 2018, the Court held a hearing on Plaintiff's opposed
second Motion to Amend Complaint.¹ Upon the record made in open court,

¹ Doc. 32.

ORDERED:

1. Plaintiff's opposed Motion to Amend Complaint² is GRANTED.
2. The proposed Second Amended Complaint, lodged with the Court as Doc. 33-1, shall be filed and served forthwith. L.R. 15.1.
3. The Amended Complaint filed February 20, 2018,³ and Defendants' Motions to Dismiss⁴ are moot and of no further force or effect.
4. Defendants shall have to and including October 12, 2018, in which to file any and all motions with supporting briefs directed to issues presented by the Second Amended Complaint. Briefs in support shall be in appropriate form and complete and may not incorporate by reference any statement or argument contained in any document previously filed in this case.
5. Motions and briefs filed as provided in paragraph 4 shall address: (a) any and all issues appropriately raised by the Second Amended Complaint; (b) whether and upon what basis federal jurisdiction is claimed to be properly pleaded in the Second Amended Complaint; and (c) whether the claims stated are adequately pleaded in compliance with *Ashcroft v. Iqbal*, 556 U.S. 662 (2009), *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007), and *Starr v. Baca*, 652 F.3d

² Doc. 32.


³ Doc. 7.

⁴ Docs. 12 and 20.

1202 (9th Cir. 2011).

6. Motions filed in compliance with this order will be set for hearing, if appropriate, by further order of Court.

DATED this 26th day of September, 2018.



SAM E. HADDON
United States District Court